



U.S. Department of Justice  
United States Attorney  
District of Kansas

## NEWS RELEASE

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February 12, 2004

### NEODESHA, KANSAS MAN CHARGED UNDER PROJECT SAFE NEIGHBORHOODS WITH MULTIPLE ROBBERIES, CAR JACKING, AND GUN CHARGES

Topeka, Kan. — U.S. Attorney Eric Melgren, Bureau of Alcohol, Tobacco, Firearms and Explosives Assistant Special Agent in Charge Paul Vido, Shawnee County District Attorney Robert Hecht, and Topeka Police Chief Ed Klumpp announced today the indictment of **Maurice Franklin, Jr.**, 29, Neodesha, Kansas, and **James Griffin**, 31, Topeka, Kansas, by a federal grand jury in Wichita, Kansas, on February 12, 2003.

Franklin and Griffin are charged under **Project Safe Neighborhoods**, a national initiative to reduce gun violence in our communities. Project Safe Neighborhoods is a top priority of the Department of Justice and the United States Attorney's office in Kansas, second only to the fight against terrorism.

Melgren said that **Franklin** and **Griffin** were each charged with one count of attempting to rob the Carlos O'Kelly's Mexican Restaurant, 3245 S. Kansas Avenue, Topeka, Kansas, on January 24, 2002, and one count of carrying and using a firearm during the attempted robbery.

**Franklin** is also charged with:

- ! five counts of robbery;
- ! one count of car jacking;
- ! five counts of carrying and using a firearm in connection with a robbery or car jacking;
- ! one count of discharging a firearm inside a school;

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- ! two counts of being a felon in possession of ammunition;
- ! one count of being a felon in possession of a firearm; and
- ! one count of attempted robbery.

Specifically the additional charges are as follows:

- attempting to rob the Taco Mayo restaurant, Parsons, Kansas, on February 4, 2001;
- robbing the Taco Tico restaurant, Parsons, Kansas, on February 4, 2001;
- being a felon in possession of ammunition on January 24, 2002;
- robbing the Taco Inn restaurant, Independence, Kansas, on March 9, 2002;
- carrying and using a firearm during the robbery of the Taco Inn on March 9, 2002;
- being a felon in possession of ammunition on March 11, 2002;
- discharging a firearm inside Independence High School, Independence, Kansas, on March 11, 2002;
- car jacking on March 11, 2002;
- carrying and using a firearm during a car jacking on March 11, 2002;
- robbing a Burger King restaurant, Chanute, Kansas, on April 29, 2003;
- carrying and using a firearm during the robbery of the Burger King;
- robbing a Braum's store, Independence, Kansas, on April 30, 2003;
- carrying and using a firearm during the robbery of the Braum's store;
- robbing a Kentucky Fried Chicken, Coffeyville, Kansas, on May 8, 2003;
- carrying and using a firearm during the robbery of the Kentucky Fried Chicken;
- and being a felon in possession of a firearm on May 8, 2003.

Melgren stated that the indictment alleges that on January 24, 2002, Griffin drove Franklin to the Carlos O'Kelly's Mexican restaurant in Topeka, Kansas. Franklin entered the back of the restaurant shortly before 10:00 a.m., approached the manager, who was in the back office, and fired a single shot from a firearm striking the manager.

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The indictment further alleges that on March 11, 2002, at approximately 7: 45 p.m., Franklin knocked on the door of a residence in Independence, Kansas, that was the home of a man, woman and two small children. The indictment alleges that Franklin, wearing a mask and carrying a handgun, forced his way into the home. The indictment further alleges that Franklin took the man at gunpoint from the house and had the man drive his van through the streets of Independence to the Independence High School. The indictment alleges that Franklin threatened to kill the man and the man jumped from his moving van and ran into the high school. The indictment further alleges that Franklin followed the man into the school and fired a shot hitting the man in the leg.

The indictment also alleges that between February 4, 2001, and April 30, 2003, Franklin attempted to rob or robbed five additional restaurants in Southeast Kansas, as set out above, and that he used a firearm in four of these robberies.

The indictment further alleges that on May 8, 2003, Coffeyville police officers received a call that the Kentucky Fried Chicken in Coffeyville, Kansas, was being robbed by a man with a gun, wearing a white shirt over his face. The indictment alleges that when Franklin exited the Kentucky Fried Chicken he was arrested by Coffeyville police officers following a short chase in which Franklin dropped the bag of money and the white shirt.

Franklin and Griffin are each currently in custody in Shawnee County, Kansas, and each will make an initial appearance in U.S. District Court in Wichita, Kansas, in the near future. No court dates have yet been set.

If convicted, Franklin faces a maximum of twenty years in federal prison, without parole, on each count of attempted robbery or robbery; a minimum of ten years on each count of carrying and using a firearm during an attempted robbery and during a car jacking; a maximum of ten years for each count of being a felon in possession of ammunition or a firearm; a minimum of seven years for each count of carrying or using a firearm during a crime of violence; a maximum of five years for discharging a firearm inside a school; and a maximum of twenty-five years for possession of a firearm during a car jacking.

If convicted of only the gun and ammunition charges, Franklin faces a mandatory minimum of 135 years in federal prison, without parole. Any conviction on additional charges would be in addition to this 135 years.

If convicted, Griffin faces a maximum of twenty years in federal prison, without parole, for attempted robbery and a minimum of ten years for carrying and using a firearm during a robbery.

“President Bush has made Project Safe Neighborhoods one of his top law enforcement priorities. The goal of Project Safe Neighborhoods is to target violent offenders who cause a disproportionate level of firearm related violence in our communities, and to prosecute them under federal gun violation laws which carry stiff, mandatory prison sentences. The offenses included in today’s Grand Jury indictment are exactly the type of offenses the President had

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in mind. Working in partnership with state and local prosecutors and law enforcement officers, and with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, we are taking dangerous criminals off our streets. Violent offenders who perpetuate gun violence in our communities are on notice: under Project Safe Neighborhoods, they will face long federal prison sentences for their crimes. By removing these violent offenders, Project Safe Neighborhoods is making our communities safer,” said U.S. Attorney Eric Melgren.

“This case epitomizes the strength of the Project Safe Neighborhoods initiative,” said ATF Special Agent in Charge Mark James. “ATF agents working side-by-side with our local law enforcement partners, backed by the commitment of the U.S. Attorney’s office.”

“The robbery and shooting of Bob Fraser occurring at the Carlos O’Kelly’s Restaurant in Topeka has been the focus of great community concern. The Police Department has invested a great deal of resources in developing the case for prosecution. This federal indictment of Maurice Franklin should send a clear message to criminals intent on victimizing our citizens that we will pursue you relentlessly, bring you to justice, and hold you accountable for your crimes. The joint effort of multiple law enforcement jurisdictions and of the prosecutors has made this case possible. Nothing can restore Mr. Fraser’s health, but he will see the accused assailant face accountability in the judicial system,” said Topeka Police Chief Ed Klumpp.

“The indictment of Maurice Franklin, Jr., for a number of armed robberies in Kansas which ties in to Kansas charges in Topeka for the attempted second degree murder, attempted aggravated robbery and conspiracy charges against Franklin and Griffin in connection with the incident at Carlos O’Kelly’s and the shooting of Bob Fraser is an excellent example of the cooperation between federal law enforcement, state law enforcement, the U.S. Attorney’s office and this office. Under Project Safe Neighborhoods, sponsored by the Department of Justice through various U.S. Attorney’s offices, concentrated focus on violence, as in this case, can only contribute to making our community a safer place. For Bob Fraser, this cooperation may bring a measure of justice,” said Shawnee County District Attorney Robert Hecht.

As in any criminal case, a person is presumed innocent until and unless proven guilty. The indictment filed merely contains allegations of criminal conduct.